

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

GEORGE F. ALDRIDGE, JR.,

Plaintiff,

v.

CYNTHIA REESE,

Defendant.

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No. 1:18-cv-00260-RWS

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff George F. Aldridge, Jr.'s motion to appoint counsel. (Docket No. 17). The motion will be denied at this time.

“A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case.” *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). Rather, a district court may appoint counsel in a civil case if the court is “convinced that an indigent plaintiff has stated a non-frivolous claim...and where the nature of the litigation is such that plaintiff as well as the court will benefit from the assistance of counsel.” *Patterson v. Kelley*, 902 F.3d 845, 850 (8<sup>th</sup> Cir. 2018). When determining whether to appoint counsel for an indigent litigant, a court considers relevant factors such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8<sup>th</sup> Cir. 2006).

After reviewing these factors, the Court finds that the appointment of counsel is not warranted at this time. Plaintiff has demonstrated, at this point, that he can adequately present his claims to the Court. Additionally, at this stage, neither the factual nor the legal issues in this case appear to be unduly complex. Furthermore, discovery in this case has not yet commenced,

so it is as yet unclear the extent to which there will be conflicting testimony. The Court will entertain future motions for appointment of counsel as the case progresses.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel (Docket No. 17) is **DENIED** at this time.

Dated this 24th day of April, 2019.

  
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RODNEYW. SIPPEL  
UNITED STATES DISTRICT JUDGE